

Town Board Minutes

**Meeting
No. 25**

Special Meeting

August 4, 1997

MEETINGS TO DATE 25
NO. OF REGULARS 14
NO. OF SPECIALS 11

LANCASTER, NEW YORK
AUGUST 4, 1997

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 4th day of August, 1997, at 6:30 PM and there were

PRESENT: ROBERT GIZA, SUPERVISOR
DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
REBECCA ANDERSON, PLANNING BOARD CHAIRMAN
JOHN GOBER, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ABSENT: FRANK DE CARLO, PLANNING BOARD MEMBER
DAVID MARRANO, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT THILL, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of two actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
ADVANTAGE TRUCKS & SALVAGE SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Advantage Trucks & Salvage project matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY TOWN BOARD MEMBER STEMPIAK
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER GOBER, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
ADVANTAGE TRUCKS & SALVAGE SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 4 acres.

The location of the premises being reviewed is situate on Ransom Rd. east, just north of the old Lehigh Valley Railroad track.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.12.
- B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
(except as noted)
 - C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.
No adverse effects noted
 - C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.
No adverse effects noted
 - C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.
No adverse effects noted
 - C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.
No adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 4, 1997

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUT	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 4, 1997

**IN THE MATTER OF THE SEQR REVIEW OF THE
BASIL CHEVROLET SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Basil Chevrolet site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY TOWN BOARD MEMBER MILLER
WHO MOVED ITS ADOPTION, SECONDED BY
PLANNING BOARD MEMBER SOCHA, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
BASIL CHEVROLET SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.11, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.10.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.1± acres.

The location of the premises being reviewed is situate on the southeast corner of Como Park Boulevard and Transit Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type I threshold in 6 NYCRR, Part 617.12.

B. The action will receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.

C. The proposed action will not result in any adverse effects associated with the following: (except as noted)

C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No adverse effects noted

C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character. It is noted that the site has been previously disturbed and has been developed commercially for over 50 years. It is noted that construction will stop if any archaeological findings appear during ground disturbance.

No adverse effects noted

C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No adverse effects noted

C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No adverse effects noted

C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No adverse effects noted

C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No adverse effects noted

C.7 Other impacts (including changes in use of either quantity or type of energy.

No adverse effects noted

D. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____

Robert H. Giza, Supervisor
Town of Lancaster

SEAL

August 4, 1997

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and
and,

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR GIZA	VOTED YES
COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
PLANNING BOARD CHAIRMAN ANDERSON	VOTED YES
PLANNING BOARD MEMBER DE CARLO	WAS ABSENT
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER MARRANO	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

August 4, 1997

ADJOURNMENT:

ON MOTION DULY MADE, SECONDED AND CARRIED, this meeting was adjourned at 6:55 P.M.


Robert P. Thill, Town Clerk

Town Board Minutes

**Meeting
No. 26**

Regular Meeting

August 4, 1997

MEETINGS TO DATE 26
NO. OF REGULARS 15
NO. OF SPECIALS 11

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LANCASTER, NEW YORK
AUGUST 4, 1997

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 4th day of August, 1997 at 8:00 P.M. and there were

PRESENT: DONALD KWAK, COUNCIL MEMBER
JOHN MILLER, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT THILL, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, ASSISTANT BUILDING INSPECTOR
JOHANNA COLEMAN, RECEIVER OF TAXES
CHRISTINE FUSCO, ASSESSOR

PERSONS ADDRESSING TOWN BOARD:

Bielman, Jack, 19 Inwood Place, spoke to the Town Board on the following matter:

Requested an answer to a 1996 letter relative to variances granted in the flood plain on Stony Road.

Brett, James, 590 Harris Hill Road, spoke to the Town Board on the following matter:

The out of district sewer user agreement for Casey Machine Company Inc.

Frank, Mary Ann, 5176 Genesee Street, spoke to the Town Board on the following matters:

1. Thanked the Town Board for getting brush removed at the exit area at new post office on Harris Hill Road.
2. Water line project on Genesee Street.

Kubicki, Gloria, 15 Maple Drive, spoke to the Town Board on the following matter:

The number of false alarms at the Tops site.

Morningstar, Al, 5743 Genesee Street, spoke to the Town Board on the following matter: Page 550

Asked about a cellar on the Ekey property on Genesee Street.

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

1. Noted that the Minutes of the June 16, 1997 Town Board meeting did not contain all of his comments to the Town Board.
2. Asked that the Friends of Scajaquada Creek be notified prior to the issuance of a certificate of occupancy for building permit number 3966.
3. Asked that Town drainage study be made available for sale to public in the Town Clerk's Office.
4. Ditches on Westwood Road.
5. Asked about status of 1998 Budget.

Symer, Donald, 610 Columbia Avenue, spoke to the Town Board on the following matter:

The removal of brush in the line of site at the new post office on Harris Hill Road.

Stankel, John, 10 Pleasant View Drive, spoke to the Town Board on the following matter:

Noted that the supervisor is the only person at a Town Board meeting who should rule a person out of order.

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town Board
held on July 21, 1997 be and hereby is approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY, COUNCIL MEMBER MILLER, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER KWAK, TO WIT:

WHEREAS, the Town Board, by resolution dated April 21, 1997 created the civil service position of Senior Account Clerk in the Office of the Supervisor of the Town of Lancaster, and

WHEREAS, the Personnel Office of the County of Erie has informed the Supervisor of the Town of Lancaster that **LOIS M. PALANO** has successfully passed a civil service examination and placed within the top three candidates for this position, and

WHEREAS, it is the desire of the sponsor of this resolution to appoint **LOIS M. PALANO** to the permanent position of Senior Account Clerk in the Office of the Supervisor of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that **LOIS M. PALANO**, 7 Idlebrook Court, Lancaster, New York 14086, be and is hereby appointed to the permanent civil service position of Senior Account Clerk, full time, in the Office of the Supervisor of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the 1997 salary of **LOIS M. PALANO** be and is hereby set at \$30,053.00, as set forth in the Schedule of Salaries adopted by the Town Board on January 1, 1997.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MEMBER STEMPIAK TO WIT:

WHEREAS, the Town Board, by resolution, appointed David Mazur, to the position of Real Property Appraisal Technician, full time, in the Assessor's Department of the Town of Lancaster on a provisional basis pending successful passing of a civil service examination, and

WHEREAS, the Personnel Office of the County of Erie has informed the Supervisor of the Town of Lancaster that **David Mazur** has successfully passed a civil service examination and has placed as the No. 1 candidate on the current eligibility list for this position, and

WHEREAS, it is the desire of the sponsor of this resolution to appoint **DAVID MAZUR** to the permanent position of Real Property Appraisal Technician in the Assessor's Department of the Town of Lancaster and that his salary and benefits will remain the same,

NOW, THEREFORE, BE IT

RESOLVED, that **DAVID MAZUR**, 188 Marrano Dr., Depew, New York 14043, be and is hereby appointed to the permanent civil service position of Real Property Appraisal Technician, full time, in the Assessor's Department of the Town of Lancaster, and

BE IT FURTHER

RESOLVED, that the 1997 salary of **DAVID MAZUR** be and is hereby set at \$28,887.00, as set forth in the Schedule of Salaries adopted by the Town Board on January 1, 1997.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MILLER , TO WIT:

WHEREAS, the Town Board by resolution adopted January 1, 1996 designated certain financial institutions as official depositories of the funds of the Town of Lancaster for the years 1996 and 1997, and

WHEREAS, the Supervisor has requested the addition of an additional depository namely the Columbus Bank and Trust Company for the purpose of depositing funds in accordance with the Cafeteria Benefits Plan recently adopted by the Town Board.

NOW, THEREFORE BE IT

RESOLVED, that the resolution adopted by the Town Board on January 1, 1996 designating the depositories of the Town of Lancaster be and is hereby amended by adding the name of the Columbus Bank and Trust Company, and

BE IT FURTHER

RESOLVED, that the resolution adopted by the Town Board on January 1, 1996 authorizing the recognition of the specimen signature of the supervisor be and is hereby amended by adding the name of the Columbus Bank and Trust Company.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR , TO WIT:

WHEREAS, MUNICIPAL INSURANCE CONSULTANTS, INC., has
submitted a proposal to perform insurance consulting services to the Town of Lancaster for a
one-year period commencing August 1, 1997 and terminating July 31, 1997, and

WHEREAS, the Town Board has reviewed the proposal submitted and has
further given consideration to the need for consultant services in the area of municipal
insurance, and

WHEREAS, specialized professional consultant services are not subject to the
bidding requirements of General Municipal Law §103;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes
the Supervisor of the Town of Lancaster to enter into the renewal agreement with MUNICIPAL
INSURANCE CONSULTANTS, INC., for services as set forth in that Agreement and on the
further terms and conditions as are set forth therein, for a one-year period commencing August
1, 1997 and terminating July 31, 1998.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File: raiscon

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MILLER, TO WIT:

WHEREAS, ADVANTAGE TRUCKS & SALVAGE, INC., 933 Ransom Road, Lancaster, New York, has submitted a revised Plan dated May 21, 1997, May 26th, May 27th and June 9, 1997, and received June 18, 1997 and July 17, 1997, for the construction of a six (6) five thousand (5,000) s.f steel buildings (for office/warehouse) on property located at 933 Ransom Road, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated July 2, 1997, recommended approval of this project, subject to certain conditions, and

WHEREAS, a SEQR review of this project was held on August 4, 1997 and a Negative Declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by ADVANTAGE TRUCKS & SALVAGE, INC. for the construction of a six (6) five thousand (5,000) s.f steel buildings to be located at 933 Ransom Road, in the Town of Lancaster, with plan prepared by J.P.N. Drafting Service and dated May 21, 1997 and revised May 26, May 27 and June 9, 1997 and received June 18, 1997 and July 17, 1997, subject to the following conditions:

- Receipt of a detailed landscape plan for review and approval of Town Board
- Amended site plan showing planned dumpster area shall be submitted to Building Inspector's office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File: rasiadv

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, BASIL CHEVROLET, 5111 Transit Road, Lancaster, New York,
has submitted a Site Plan dated May 22, 1997 and received June 4, 1997, for the construction of
a 34 00 s.f. facility on property located at 5111 Transit Road, in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan, and by letter dated June
22, 1997, recommended approval of this project, and

WHEREAS, a SEQR review of this project was held on August 4, 1997 and a
Negative Declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the
Site Plan submitted by BASIL CHEVROLET for the construction of a 34 00 s.f. facility to be
located at 5111 Transit Road, in the Town of Lancaster, with plan prepared by D.R.
Chamberlain and dated May 22, 1997, subject to the following condition:

-- landscaping be enhanced around detention pond.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File: rasitbas

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

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RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts:

Claim No. 15206 to Claim No. 15388 Inclusive

Total amount hereby authorized to be paid: **\$ 845,928.96**

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File: RCLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCIL MEMBER KWAK, WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCIL
 MEMBER MILLER, TO WIT:

RESOLVED that the following Building Permit Applications be and are hereby
 approved and the issuance of these Building Permits be and are hereby authorized:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
 waived for this permit.

(CSW) = Conditional sidewalk waiver.

NEW PERMITS:

<u>No.</u>	<u>Code Applicant</u>	<u>Street Address</u>	<u>Structure</u>
4389	Craig Minchen	15 Biscayne Dr	Er. Fence
4390	Cynthia Martek	1185 Penora St	Er. Fence
4391	Flexlume Sign Corp	4777 Transit Rd	Er. Sign
4392	Ronald Fix	324 Enchanted Fst N	Er. Fence
4393	Timothy Szafranik	12 Oakwood Comm	Er. Shed
4394	Anthony Dobizst	4 Fieldstone Ln	Er. Fence
4395	Michael Cammaroto	233 Peppermint Rd	Er. Shed
4396	Joseph Holbel	27 Cambridge Ct	Er. Deck
4397	Robert Westerling Jr	728 Townline Rd	Er. Deck/Roof
4398	Swimco Pools	77 Old Post Rd	Er. Fence/Pool
4399	Swimco Pools	6 Pond View Ct	Er. Fence/Pool
4400	Swimco Pools	34 Hillside Pkwy	Er. Fence/Pool
4401	Joseph Greco	3 Whitestone Ln	Er. Deck
4402	James Lux	25 Clermont Ct	Er. Shed/Fence
4403	Moeller Builders	36 Michael's Wlk	Er. Sin. Dwlg
4404	Frank Liberati	3556 Walden Ave	Er. pool
4405	Kevin Connors	14 Sugarbush Ln	Er. Fence/Pool
4406	Linda Pfender	71 Gale Dr	Er. Pool
4407	Fischione Const Co Inc	53 Tomahawk Tr	Er. Sin. Dwlg
4408	WFB Bldrs Inc	53 E Home Rd	Er. Sin. Dwlg
4409	Carol Schnauffer	291 Enchanted Fst N	Er. Sunroom
4410	Thomas Lawniczak	150 Broezel Ave	Er. Pool

4411	Marrano/Marc Equity	6 Stonehedge Dr	Er. Sin. Dwlg
4412	Centennial Homes Inc	9 Clermont Ct	Er. Sin. Dwlg
4413	Skarbowski Const	9 Wendtworth Ct	Er. Sin. Dwlg
4414	Michael Gallivan	14 Winding Way	Er. Pool
4415	Majestic Pools Inc	10 Cidermill Ct	Er. Fence
4416	Robert Morgante	35 Rue Madeleine Wa	Er. Shed
4417	Tom Czerniejewski	17 Glendale Dr	Er. Fence
4418	Richard Dillon	5600 William St	Er. Shed
4419	Larry Wolfe	20 Hunters Dr	Er. Deck
4420	Swimco Pools	2 Jenny Ln	Er. Fence/Pool
4421	All Craft Inc	54 Newberry Ln	Er. Sin. Dwlg
4422	Philip Tonsoline	246 Enchanted Fst N	Er. Shed
4423	Barb Lotteser	9 Hemlock Ln	Er. Deck
4424	Iona Associates	133 Siebert Rd	Er. Sin. Dwlg
4425	Walt Mikowski	112 Westwood Rd	Er. Pool
4426	Mark Soper	1308 Townline Rd	Ex. Garage
4427	Donato Developers	8 Candlestick Ct	Er. Sin. Dwlg
4428	Daniel Baccari	520 Ransom Rd	Er. Church
4429	Chris Worth	61 Newberry Ln	Er. Deck
4430	Dennis Majewicz	220 Lake Fst Pkwy E	Er. Pool

and.

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File:Rbldg2

Council Member Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster Director of Parks, Senior Facilities and Buildings and Grounds, Terence McCracken, has advised the Town Board that since the fall of 1996 he has utilized material known as **Marco Clay** on a number of baseball/softball diamonds and in doing so has realized a significant savings in personnel costs in his department, and

WHEREAS, Mr. McCracken has determined by investigation that there is not an equivalent product now available and has therefore requested that the Town Board standardize as a specification for this product known as "**Marco Clay**" for future public bid for reasons involving efficiency and economy and to continue the ball diamonds in a uniform condition, and

WHEREAS, General Municipal Law §103 (5) permits standardization on an item, product or material which is then subject to the public bid requirement upon the resolution of three-fifths of the members of the Town Board where there is sufficient reasons of efficiency and economy;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the town of Lancaster hereby finds that it is in the best interest of the Town to standardize on a ball diamond preparation mix known as "**Marco Clay**" in order to create uniform conditions on the diamonds used by the Town of Lancaster department of Parks, Senior Facilities and Buildings and Grounds, and further based upon the findings that this product saves the Town of Lancaster significant personnel time which can be devoted to carrying out other services in the department, all to the benefit of the taxpayers.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

File: rstzspec

Supervisor Giza requested a suspension of the necessary rule for adoption of the following resolution

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA. WHO MOVED
ITS ADOPTION. SECONDED BY
COUNCIL MEMBER MILLER , TO WIT:

WHEREAS, the Town of Lancaster has been named a respondent together with the Town of Lancaster Zoning Board of Appeals and Building Inspector in an Article 78 proceeding regarding the AHEPA 91, Inc. senior housing project, and

WHEREAS, the Town Attorney's office acts as counsel to the Zoning Board of Appeals and was present at the hearing on the AHEPA application for a variance for the size of the units, and

WHEREAS, the Town Attorney has advised the Town Board that a conflict of interest or potential conflict of interest exists relative to his office representing the Zoning Board of Appeals in this proceeding since that office was present as legal adviser to the Zoning Board of Appeals at the hearing, and further because the Town has been named as a separate respondent and that as a result, outside counsel must be appointed to represent the Zoning Board of Appeals in this proceeding;

NOW, THEREFORE, BE IT

RESOLVED, that Paul Weiss, Esq., 22 Victoria Boulevard, Kenmore, New York 14217, is hereby appointed to act as outside counsel in the Article 78 proceeding commenced by AHEPA 91, Inc., regarding the action by the Zoning Board of Appeals of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

Supervisor Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY
COUNCIL MEMBER KWAK , TO WIT:

WHEREAS, CASEY MACHINE COMPANY, INC, the owner of property located at 74 Ward Road in the Town of Lancaster, has made an application to the Town of Lancaster Sewer District No. 6 to be an "Out of District" Customer, and

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Town Board of the Town of Lancaster hereby grants **CASEY MACHINE COMPANY, INC.,** (Owner) permission to become an "out of district" customer of Town of Lancaster Sewer District No. 6, for service to be limited to its property located at 74 Ward Road, in the Town of Lancaster:

2. That the Owner shall enter into an "Out of the District User" Agreement with the Town of Lancaster, said Agreement to be prepared by the Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER KWAK	VOTED YES
COUNCIL MEMBER MILLER	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

August 4, 1997

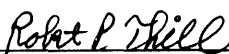
File: rtsd6.

COMMUNICATIONS:

- 515. Bowmansville Vol. Fire Assoc. to Town Board -
Requests fire hydrant at 507 Pleasantview Dr. be raised to be compatible for their usage if needed. DISPOSITION: Town Engineer
- 516. NYSDEC to Dep. Town Attorney -
Designation of SEQR Lead Agency, Advantage Trucks & Salvage, 933 Ransom Rd.
DISPOSITION: Received & Filed
- 517. County Dept. of E&P to John Opalka -
Re: Basil Chevy, ECSD #4, Transit & Como Park, M617-97-541. DISPOSITION:
Received & Filed
- 518. Donald I MacDavid to Supervisor -
Letter of appreciation concerning actions of some of the town departments. DISPOSITION:
Received & Filed
- 519. US Dept. of Commerce to Supervisor -
Invitation to attend presentation on Census 2000 Aug. 21. DISPOSITION: Supervisor
- 520. Council Member Montour to Supervisor -
Formation of a committee with Town and Villages to brainstorm possible consolidation of
services. DISPOSITION: Council Member Montour
- 521. County Dept. of Health to Supervisor -
Approval of completed works, Cadby Industrial Park, Ref. 67091. DISPOSITION:
Received & Filed
- 522. Town Clerk to Zoning Board of Appeals -
Transmittal of legal notice of Public Hearing for Zoning Board of Appeals. DISPOSITION:
Received & Filed
- 523. Town Engineer to Town Board -
Recommendations regarding fire hydrants on Transit Road. DISPOSITION: Town Engineer
- 524. Police Chief to Planning Board -
Approval for site plan for National Tire and Battery. DISPOSITION: Received & Filed
- 525. ECDEP to Town Attorney -
SEQR Referral Review for Advantage Trucks & Salvage review #: M617-97-653.
DISPOSITION: Received & Filed
- 526. Lancaster-Depew Ponytails to Town Board -
Notification that owners of the former Murphy's building are allowing the softball league to
use the lower level rent free. DISPOSITION: Received & Filed
- 527. Lancaster-Depew Ponytail Softball League to Supervisor -
Invitation to picnic August 3, 1997. DISPOSITION: Received & Filed
- 528. Police Captain to Town Board -
Want consideration to be included in Vision Care Plan. DISPOSITION: Public Safety
Committee
- 529. Parks & Rec General Crew Chief to Supervisor -
Requests authorization to reconstruct various ball diamonds with Marco Clay. DISPOSITION:
Received & Filed
- 530. Henry S. Wick to Supervisor -
Letter of complaint re. neighbor's dogs on behalf of Mr. & Mrs. Zgoda. DISPOSITION: Dog
Control Officer
- 531. NYSDOT to Deputy Town Attorney -
Re. SEQR Review Basil Chevrolet. DISPOSITION: Received & Filed

ADJOURNMENT:

ONMOTION OF COUNCIL MEMBER STEMPIAK AND SECONDED BY THE
ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:10 P.M.


Robert P. Thill, Town Clerk